

## **BILL ANALYSIS**

Senate Research Center  
82R3939 JRJ-D

S.B. 514  
By: Birdwell et al.  
Higher Education  
2/28/2011  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

S.B. 514 changes current law related to Texas State Technical College (TSTC). Specifically, S.B. 514 deletes Section 135.02(c), Education Code, as added by Chapter 268 (S.B. 1357), Acts of the 72nd Legislature, Regular Session, 1991, which requires the governor's approval for the acquisition or purchase of land and/or facilities for TSTC in Cameron, Potter, Harrison, and Nolan Counties.

This change removes a redundant, archaic provision. Section 135.02, Education Code, contains two Subsections (c). The second of these allows acquisition or purchase of land and/or facilities in any county in which a campus or extension center is located under certain conditions without the governor's approval. This would eliminate the unnecessary step of securing approval from the governor's office for acquisitions on behalf of TSTC Marshall (Harrison County), TSTC West Texas for Sweetwater only (Nolan County), and TSTC Harlingen (Cameron County). TSTC does not have a campus or an extension center in Amarillo (Potter County).

Acquisitions and purchases do not require approval from the governor's office elsewhere within the Education Code. Section 61.051 (Coordination of Institutions of Public Higher Education), Education Code, specifically authorizes the Texas Higher Education Coordinating Board to make such decisions in matters related to higher education and does not reference the governor. The requirement referencing the governor in Section 135.002 is specific only to TSTC and only applies to three campuses and to one of those only in part.

S.B. 514 streamlines TSTC's due diligence, standardizes procedures for all TSTC campuses, and brings the provisions related to TSTC in line with those applicable to public universities and health-related institutions of higher education.

As proposed, S.B. 514 amends current law relating to the acquisition of land and facilities by the Texas State Technical College System.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Repealer: Section 135.02(c) (relating to accepting and acquiring by purchase land and facilities in certain counties), Education Code, as added by Chapter 268 (S.B. 1357), Acts of the 72nd Legislature, Regular Session, 1991.

SECTION 2. Effective date: upon passage or September 1, 2011.